

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

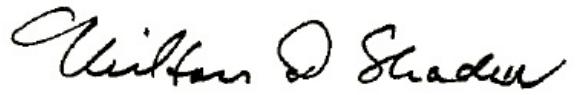
DANIEL B. WATERS,)
)
 Plaintiff,)
)
v.) No. 02 C 4762
)
CITY OF CHICAGO,)
)
 Defendant.)

MEMORANDUM OPINION AND ORDER

After the trial in which the jury entered a September 15, 2006 verdict in favor of Daniel Waters ("Waters") and against the City of Chicago ("City") for \$225,000 in compensatory damages, City's counsel filed a motion seeking a remittitur of that award as assertedly excessive. Waters' counsel has just filed a Memorandum of Law in opposition to that motion, setting out chapter and verse as to why it should be denied.

In addition to the Waters' Memorandum's statement of the applicable standards (whether the award was "monstrously excessive," whether there was no rational connection between the award and the evidence and whether the award was roughly to awards made in similar cases), the Memorandum has provided an extensive compendium of caselaw from our Court of Appeals, all of which fully supports the award as entirely appropriate. Indeed, some of those cases that presented substantially less egregious fact situations in terms of the impact of the conduct of defendants in those cases on the prevailing plaintiffs would

readily support a substantially higher award than the jury made here. Accordingly City's motion for remittitur is denied.



Milton I. Shadur
Senior United States District Judge

Date: December 4, 2006